

REMARKS

The Office Action dated December 2, 2003 indicates that there is no record of claims 31-43 and 63-76 being cancelled. In response, claims 31-43 and 63-76 have been cancelled in this amendment. Claims 1, 20, 21, 49, 58, 77, and 78 have been amended. Claims 1-26, 30, 44-61, 77-83, and 85-88 are pending. Claims 44-48, 82 and 83 have been allowed.

Reconsideration and allowance of all remaining claims in view of the above amendments and the following remarks are respectfully requested.

Applicants appreciate the Examiner's time in the telephone interview on February 17, 2004, and for the follow up interview on February 18, 2004 to discuss the allowability of the pending claims. The above amendments are in accordance with the material discussed during the two telephone interviews as discussed below.

Independent claim 1 has been amended to direct the preamble to a loudspeaker to overcome the rejections made under 35 USC 112, first and second paragraphs. With regard to the rejections under 35 USC 102(b) based on US Patent Nos. 3,891,874 (the '874 Patent) and 3,024,374 (the '374 Patent), the amended independent claim 1 is allowable because the '874 and '374 Patents are directed to a reciprocating or linear electrodynamic machine which is a different field of the technology than the loudspeaker. As such, the '874 and '374 Patents are nonanalogous art such that the two references either alone or in combination are inapplicable to anticipate claim 1. In addition, the '874 and '374 Patents do not teach or suggest "a flux stabilization ring around the upper and lower pole pieces to the upper and lower pole pieces substantially together" as recited claim 1. Accordingly, the '874 and '374 patents do not anticipate or obviate claim 1. As such, claim 1 and its dependent claims are in condition for allowance.

With regard to the objection of claim 20, it has been amended to correct a typographical error by replacing the "top plate" with an "upper pole piece" for consistency. With regard to claim 85, it has been amended to properly depend from its independent claim 82. Accordingly, the objections to claims 20 and 85 should be withdrawn.

Independent claims 21, 49, 77, and 78 have been rejected under 35 USC 103(a) as being obvious over the '874 Patent in view of US Patent No. 5,207,410 (the '410 Patent). The Examiner asserts that the '410 Patent teaches in the abstract an enlarged surface area in the magnetic circuit. The '410 Patent is directed providing slots 70, as illustrated in Figure 2, to increase "the surface area of the outer pole 54's ID surface/wall 72 by slot walls 74." See column 4, lines 29-42. In Figure 4 of the '410 Patent, two magnetic gaps 62 and 64 are formed with the circuit going around the slot as indicated by the dotted lines. Note that the surface areas of the two tips near their respective gaps are constant with the cross-sectional area of its respective tips. As such, the '410 does not teach or suggest each of the upper and lower pole tips "expanding towards" its respective gap, as recited in claim 21; nor "enlarging the surface area" as recited in claim 49; nor a top plate tip "facing away" from the bottom plate and a bottom plate tip "facing away" from the top plate, as recited in claim 77; nor a plate tip with an "enlarged surface" as recited in claim 78. As such, the above independent claims and their respective dependent claims are allowable over the cited references.

With regard to the above amendments to claims 49, 58, and 78, they are generally directed clarifying that tip near the magnetic gap is enlarged relative to its respective plate, rather than to limit the scope of the claims.

#### Conclusion

In view of the foregoing, it is respectfully submitted that all claims are in condition for allowance. Reexamination and reconsideration of the application, as amended, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicants' undersigned representative at (213) 689-5176 to discuss the steps necessary for placing the application in condition for allowance.

**The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such**

**additional fees be associated with an extension of time, applicants respectfully requests that this paper be considered a petition therefore.**

Respectfully submitted,



Sung I. Oh, Reg. No. 45,583  
Attorney for Applicants

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**Squire, Sanders & Dempsey, LLP**  
810 South Figueroa, 14<sup>th</sup> Floor  
Los Angeles, CA 90017  
Telephone: (213) 689-5176  
Facsimile: (213) 623-4581